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LETTER DATED 2 FEBRUARY 2000 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 864 (1993) CONCERNING THE SITUATION IN ANGOLA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola, which was adopted by the Committee under the no-objection procedure on 2 February 2000, and is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(Signed) Robert R. FOWLER
Chairman
Security Council Committee established
pursuant to resolution 864 (1993)
concerning the situation in Angola

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Annex

Report of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola

I. INTRODUCTION

1. The present annual report of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola covers the period from January to December 1999.

2. A report of the Committee covering its activities from January to December 1998 was submitted to the Security Council on 28 December 1998 (S/1998/1227).

3. For 1999, the bureau consisted of Robert R. Fowler (Canada) as Chairman, with the delegations of Argentina and Malaysia providing the two Vice-Chairmen.

4. The Committee held five meetings and several informal meetings in 1999.

II. SUMMARY OF THE COMMITTEE'S ACTIVITIES DURING THE REPORTING PERIOD

5. In accordance with a decision taken by the Committee at its 15th meeting, on 20 January 1999, a note verbale was sent to Member States on 27 January 1999 requesting information from those States that had not yet replied on measures taken in compliance with resolutions 1127 (1997) and 1173 (1998). Replies were received from 13 States; these were issued as documents of the Committee (S/AC.31/1999/1-13).

6. At the meeting held on 20 January, the Committee endorsed the proposed visits of the Chairman to Angola and other countries to assess implementation of the measures imposed against UNITA and to seek ways to enhance the implementation of those measures. The Council in its resolution 1237 (1999) of 7 May 1999 also endorsed those visits.

7. On 12 February 1999, as requested in paragraph 8 of Security Council resolution 1221 (1999) of 12 January, the Committee submitted a report to the Council (S/1999/147), containing recommendations by the Secretary-General and proposals by the Committee for improving the implementation of the measures imposed against UNITA. Those measures included the commissioning of expert studies to trace violations in arms trafficking, oil supplies, the diamond trade and movement of UNITA funds. Among the steps recommended was the possible imposition of sanctions in the area of telecommunications. In this connection, the Chairman of the Committee wrote on 26 January 1999 to the Director General and Chief Executive Officer of INTELSAT and to the Secretary-General of the International Telecommunication Union seeking their advice and information on the feasibility of implementing that recommendation and the steps that could be taken to that end.

8. On 19 February and 7 July 1999, notes verbales transmitting addenda to the list of senior officials of UNITA and adult members of their immediate families whose travel had been restricted in accordance with paragraphs 4 (a) and (b) of resolution 1127 (1997) were sent to all States, international organizations and specialized agencies. This list is to be updated by the Committee on a regular basis and any additions or deletions are to be transmitted accordingly.

9. At its 16th meeting, on 23 March 1999, the Committee considered communications from Angola and Zambia concerning alleged violations of the sanctions imposed against UNITA. The commissioning of expert studies was also discussed (see below).

10. In May 1999, the Chairman visited seven African countries (Angola, Botswana, the Democratic Republic of the Congo, Namibia, South Africa, Zambia and Zimbabwe). On 4 June the Chairman submitted a report to the Security Council (S/1999/644) on the results of his visits, with recommendations for enhancing the implementation of the measures imposed against UNITA. In July, the Chairman visited Algeria, Belgium, France, Ukraine and the United Kingdom of Great Britain and Northern Ireland. A report on those visits containing further recommendations for better implementation of the measures imposed against UNITA was submitted to the Council on 28 July (S/1999/829). The Chairman also briefed the members of the Council at its 4027th meeting, on 29 July.

11. On 9 July 1999, in his statement to the Council of Ministers of the Organization of African Unity (OAU) at its seventieth ordinary session, held at Algiers, the Chairman outlined the following objectives of the Committee in the discharge of its mandate:

(a) First, to engage Governments and the private sector in discussions to identify measures to improve the effectiveness of Council-imposed sanctions against UNITA;

(b) Second, to remind Governments of their obligation, under the Charter of the United Nations, to implement Security Council resolutions and to encourage them to enact the necessary legislation or regulations to that end;

(c) Third, to request Member States, companies and individuals to provide the Committee with information on violations of Council-imposed sanctions against UNITA.

12. The Council of Ministers of OAU adopted a decision on Angola in which, inter alia, it appealed to all Member States to strenuously work for the implementation of all Security Council resolutions especially those relating to sanctions against UNITA (see A/54/424, CM/Dec.450 (LXX)).

13. On the margin of the OAU session, the Chairman also met with the Minister for Foreign Affairs of Swaziland in his capacity as Chairman of the Southern African Development Community (SADC) Inter-State Defence and Security Committee to discuss efforts by SADC to develop information-sharing arrangements on sanctions violations and to assist its members in implementing the Security Council sanctions against UNITA.

14. On 16 July 1999, the Chairman met with the Secretary-General of the International Criminal Police Organization (Interpol). During that meeting, it was agreed that Interpol would bring the issue of the Angolan sanctions to the attention of the Southern Africa Police Chiefs Organization during an upcoming meeting. To this end, the Chairman also forwarded to him a set of Security Council resolutions concerning measures imposed against UNITA to be distributed to the members of the Southern Africa Police Chiefs Organization.

15. During his visit to Brussels in July 1999, the Chairman met with representatives of the World Customs Organization to discuss the opportunities for collaboration specifically with regard to improving customs procedures relating to items covered by the Security Council measures against UNITA, including diamonds. The Chairman also met with representatives of the European Commission to discuss opportunities for collaboration, and addressed a meeting of the Euro-Atlantic Partnership Forum.

16. In accordance with paragraph 13 of resolution 1173 (1998), the Committee is authorized to approve, on a case-by-case basis, exemptions to the measures specified in paragraphs 11 and 12 of that resolution for verified medical and humanitarian purposes. In this connection, the Committee approved on 20 July 1999, on a no-objection basis, a request from the Government of South Africa for an exemption on humanitarian grounds to the measure specified in paragraph 12 (a) of the resolution.

17. During his visits to Africa and Europe in June and July 1999, the Chairman took the opportunity to meet with the senior management of De Beers in South Africa and London to enlist the support and assistance of the diamond industry in abiding by the decision of the Security Council that imposed measures against the illicit trade in diamonds by UNITA. On 5 October, De Beers Consolidated Mines Limited addressed a letter (see S/1999/1048) to the Chairman outlining further action taken by De Beers, notably the decision to "suspend buying anywhere in the world any parcels of Angolan diamonds".

18. Following a meeting between a representative of the Chairman and representatives of the International Diamond Manufacturers Association (IDMA) in Antwerp on 7 November 1999, IDMA issued a press release (see S/1999/1163) calling for zero-tolerance within the diamond industry of violations of the sanctions against UNITA and reaffirming that it would continue to work closely with the United Nations and the expert panel to achieve greater compliance with the imposed sanctions regime.

19. Also during the Chairman's visit to Europe in July 1999, the authorities of Ukraine offered to submit to the Committee information on the results of their investigations into specific alleged violations of the sanctions against UNITA. That information was subsequently provided to the Chairman of the Committee in a letter dated 11 December 1999 from the Permanent Representative of Ukraine to the United Nations.

III. ESTABLISHMENT OF EXPERT PANELS

20. In accordance with paragraph 8 of Security Council resolution 1221 (1999), the Committee submitted to the Council on 12 February 1999 its report (S/1999/147) on enhancing the implementation of the measures imposed on UNITA, which included the commissioning of expert studies to trace, inter alia, violations in arms trafficking, oil supplies, the diamond trade and movement of UNITA funds. The commissioning of the expert studies was initially recommended by the Secretary-General (see S/1999/49). The Council endorsed that recommendation in its resolution 1229 (1999) of 26 February 1999.

21. On 4 May 1999, the Chairman submitted to the Council a conceptual framework for the expert studies (S/1999/509). On 7 May, the Council unanimously adopted resolution 1237 (1999) by which it, inter alia, established expert panels for those studies for a period of six months and specified their mandate. The Council also requested the Chairman of the Committee to submit to it an interim report of the expert panels by 31 July 1999 and a final report with recommendations within six months of their formation.

22. The Council endorsed the recommendation contained in the conceptual framework that the expert panels be supported as an expense of the Organization and through a United Nations trust fund established for that purpose, requested the Secretary-General to take necessary steps towards that end and urged States to make voluntary contributions to the trust fund.

23. The appointment of 10 experts for the panels was approved by the Committee, under the no-objection procedure, on 30 July 1999, and on the same day the Chairman of the Committee transmitted a list to the Security Council (S/1999/837). For practical reasons, it was subsequently decided that the two original panels would function as one. The panel's membership was brought up to full strength when, following the withdrawal of one candidate, a tenth expert was recruited in October 1999 (see S/1999/837/Add.1).

24. The panel held two full meetings in New York in August and Geneva in September 1999 and formulated a plan of work, which it is now executing, with a deadline of February 2000. On 30 September, the Expert Panel established by Security Council resolution 1237 (1999) submitted its interim report (S/1999/1016) pursuant to that resolution.

25. At the 17th, 18th and 19th meetings, on 15 September, 15 November and 30 December 1999, the Chairman of the Expert Panel, Anders Mollander, briefed the Committee on the Panel's work, including visits to Washington, Moscow and Lisbon (the troika countries), regional and subregional organizations, and other countries in Africa and Europe. At the 17th meeting, the members of the Committee agreed that Ambassador Mollander would serve as the spokesman for the Panel and that they should be briefed by the Panel once a month where possible in view of travel by Panel members, and whenever important developments might warrant such a briefing.

IV. OBSERVATIONS

26. Public awareness of the sanctions increased substantially in 1999 and the effectiveness of the measures appears to have been enhanced. The work of the Expert Panel in identifying the sources and methods of violations of the sanctions and in offering practical recommendations for further action stands to render the sanctions still more effective and thus further impair the ability of UNITA to pursue its objectives through military means.